



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,586	08/09/2001	Amado Nassiff	BOC9-2000-0032(178)	2981

7590 10/23/2002

Akerman Senterfitt
Fourth Floor
222 Lakeview Avenue
P.O Box 3188
West Palm Beach, FL 33402-3188

EXAMINER

BROADHEAD, BRIAN J

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 10/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/925,586	NASSIFF ET AL.
	Examiner Brian J. Broadhead	Art Unit 3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 15 October 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-11 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 09 August 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 1 recites the limitation "said destination" in line 7. There is insufficient antecedent basis for this limitation in the claim.
4. Claim 10 recites the limitation "said location data" in line 1. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 10 recites the limitation "said network" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (e) the invention was described in–
 - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
 - (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

7. Claims 1, 2, 3, 4, 5, 7, 8, 9, and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Palomo et al., 6405126.

As per claim 1, 2, 3, 4, 5, and 7, Palomo et al. disclose identifying navigation information for at least one destination(102); storing the navigation information in at least a first memory remote from the vehicle(16); transferring the navigation information from the first memory to a navigation device in the vehicle(104); and navigating the vehicle to the destination using the navigation device and the navigation information108); the navigation information comprises location data and GPS coordinates on lines 10-20, on column 1; the identifying step is performed on a personal or handheld computer on lines 45-50, on column 2; the identifying step is performed using navigation information system on lines 50-55, on column 2.

As per claim 8, Palomo et al. disclose the location data is stored on a portable storage media, the portable storage media being transferred to the vehicle to transfer the navigation information to the navigation device in the vehicle on lines 60-65, on column 2.

As per claim 9, Palomo et al. disclose the memory is connected to a network, the navigation device being wirelessly connectible to the network for receiving the navigation information from the network on lines 37-50, on column 8.

As per claim 11, Palomo et al. disclose the step of converting the navigation information to a format recognizable to the navigation device(103).

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palomo et al., 6405126, in view of Rennard et al., 6405123.

Palomo et al. disclose the limitations set forth above. Palomo et al. do not disclose the identifying step is performed on a web site. Rennard et al. teach the identifying step is performed on a web site on lines 4-34, on column 11. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the web site of Rennard et al. in the invention of Palomo et al. because such modification would provide an improved operating environment that allows a user to input complex information through alternative devices ahead of time as stated on lines 15-17, on column 11, of Rennard et al.

10. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palomo et al., 6405126, in view of Snow et al., 6434455.

Palomo et al. disclose the limitations set forth above. Palomo et al. do not disclose the data is placed into a queue, the navigation information being removed from the queue when the navigation device is connected to the network. Snow et al. teaches the data is placed into a queue, the navigation information being removed from the queue when the navigation device is connected to the network on lines 23-25, on column 5. It would have been obvious to one of ordinary skill in the art at the time the

invention was made to use the queue of Snow et al. in the invention of Palomo et al. because such modification would allow for times when a wireless connection is not established as stated on lines 25-56, on column 5 of Snow et al.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
12. Rychlak, 6366849, discloses a method of navigating and a navigation system for a moving means.
13. Laguer-Diaz et al., 6434458, disclose method and apparatus for vehicle data transfer optimization.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Broadhead whose telephone number is 703-308-9033. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A. Cuchlinski can be reached on 703-308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Application/Control Number: 09/925,586
Art Unit: 3661

Page 6

BJB
October 16, 2002

Jacque Lai jacque
JACQUE S. LAI-JACQUES
PRIMARY EXAMINER